UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

WILLIAM H. VAUGHAN]	
Petitioner,]	
]	
v.]	No. 3:10-0001
]	Judge Trauger
WARDEN DAVID MILLS]	
Respondent.	1	

ORDER

On April 15, 2010, an order (Docket Entry No. 27) was entered dismissing the instant § 2254 habeas corpus action. At that time, the Court determined that a certificate of appealability should not issue. 28 U.S.C. § 2253(c).

Since the entry of this order, the petitioner has filed a Notice of Appeal (Docket Entry No. 32) and an application to proceed on appeal in forma pauperis (Docket Entry Nos. 37 and 38).

Having determined that it would not be appropriate to issue a certificate of appealability, an appeal would not be brought in good faith. 28 U.S.C. § 1915(a)(3). Accordingly, petitioner's application to proceed on appeal in forma pauperis is hereby DENIED. The Clerk shall forward a copy of this order to the Clerk of the Sixth Circuit Court of Appeals.

It is so ORDERED.

Aleta A. Trauger

United States District Hudge